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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,004	05/03/2001	John J. Cira	9041.00	5665

26889 7590 01/04/2006

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EXAMINER

SHAPIRO, JEFFERY A

ART UNIT	PAPER NUMBER
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3653

DATE MAILED: 01/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/848,004	Applicant(s) CIRA ET AL.	
	Examiner Jeffrey A. Shapiro	Art Unit 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/31/05.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 31-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____</p> |
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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Copenhaver et al (US 5,859,726) in view of Yamanaka et al (US 6,788,426 B1), and further in view of Boss (US 6,568,675 B1) and still further in view of Vraa et al (US 6,710,891 B1).

Copenhaver discloses check processing apparatus (DH) with MICR printers (1-18), bins (14a-n), and encoding means (MICR printers), encoded documents (checks) with encoded information (MICR) read by compiler sensor (21,21') and compiler controller (1-110). See Copenhaver, col. 3, lines 40-67 and col. 4, lines 21-26 and figures 6-8.

Copenhaver does not expressly disclose, but Yamanaka discloses control system (see figures 2 and 3) which communicates with document bins (81a-86a) having message displays (91a-96a).

Copenhaver does not expressly disclose, but Boss further discloses document bins (26, 28 and 30) which are removable, and contain electronic identification tags which contain information on the documents contained in said bins. See Boss, col. 3, lines 30-65.

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Copenhaver does not expressly disclose, but Vraa discloses wireless radio frequency identification (RFID) transponders on document bins.

Copenhaver, Yamanaka, Boss and Vraa are all considered to be analogous art because they all concern document processing.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have used document bins having message displays, as taught by Yamanaka, on the bins of Copenhaver.

The suggestion/motivation would have been to provide a display of information regarding documents discharged to a particular bin. See Yamanaka, col. 17, lines 53-col. 18, lines 1-38. Note also that although Copenhaver does not expressly disclose details of physical document storage, it would have been obvious to use Yamanaka's bins so as to store processed checks in Copenhaver since Copenhaver's device processes checks and would have required a bin in which to gather and store them.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have used removable document bins having electronic identification tags, as taught by Boss, in the system Copenhaver.

The suggestion/motivation would have been to provide removable bins which can be moved from machine to machine or station to station for further document processing or document dispensing. See Boss, col. 3, lines 30-col. 4, line-38.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have used wireless RFID transponders on the bins of Copenhaver, as taught by Vraa.

The suggestion/motivation would have been to provide wireless communication with the remote computers or controllers of Copenhaver. These computers and controllers can be construed as those of other machines and workstations as well as the controller/computer of the immediate document processor the bin is currently in. Note also that one ordinarily skilled would have recognized from Vraa's teaching that an RFID device can be mounted on a bin of Copenhaver so as to eliminate extra wire/cabling and mechanical connections as well as the flexibility of making Copenhaver's bins portable.

Response to Arguments

3. Applicant's arguments filed 8/31/05 have been fully considered but they are not persuasive. Newly cited Copenhaver discloses a check processing apparatus including MICR encoding devices and image forming devices. Yamanaka, Boss and Vraa disclose and teach the details of bins and bin identification structures described above. Copenhaver's check processing system processes documents, i.e., checks. Document processors require a physical storage area for the documents, i.e., the checks processed. Therefore, it would have been logical for one ordinarily skilled in the art to have looked to Yamanaka, Boss and Vraa to find teaching and suggestion for providing bin storage and identification to Copenhaver's document processing system. Therefore,

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the prior art is still considered to read on Applicant's claim limitations, as currently written.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Shapiro whose telephone number is (571)272-6943. The examiner can normally be reached on Monday-Friday, 9:00 AM-5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald P. Walsh can be reached on (571)272-6944. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jeffrey A. Shapiro
Examiner
Art Unit 3653

December 28, 2005



DONALD P. WALSH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600